

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. William J. Martini
:
v. : Crim. No. 18-179 (WJM)
:
JERMAINE GRANT and :
LINCOLN WARRINGTON : SCHEDULING ORDER

This matter having come before the Court on the joint application of Craig Carpenito, United States Attorney for the District of New Jersey (by Rachael Honig and Margaret Mahoney, Assistant United States Attorneys); and defendant Jermaine Grant (by Gerald Lefcourt, Esq.), and defendant Lincoln Warrington (by Richard Levitt, Esq.) for an order setting a schedule for discovery and pretrial motions; and the Court having determined that this matter should be scheduled for trial; and for good and sufficient cause shown,

It is on this 21st day of December, 2018,

HEREBY ORDERED that the United States will provide the defendants with a preliminary, non-binding list of trial witnesses 90 days before the trial date in this matter, which list may be revised or supplemented in good faith at any time thereafter without leave of the Court, but subject to timely objection, as trial preparations continue;

IT IS FURTHER ORDERED that the United States will provide the defendants with a preliminary, non-binding list of trial exhibits and copies of the marked exhibits 90 days before the trial date in this matter, which list and exhibits may be revised or supplemented in good faith at any time thereafter without leave of the Court, but subject to timely objection, as trial preparations continue;

a) The authenticity and chain of custody of the Government's final marked exhibits shall be deemed to have been accepted unless an objection is asserted in accordance with paragraph (c), below.

b) If the Government discloses the scientific analysis of an exhibit that it proposes to introduce at trial and that analysis has been determined by an expert in the field of science involved, the scientific analysis of the exhibit shall be deemed to have been accepted unless an objection is asserted in the form set forth in paragraph (c), below.

c) If the defendant wishes to contest the authenticity, chain of custody, or scientific analysis of an exhibit, counsel for the defendant shall file, no later than 30 days before trial, a notice that the authenticity, chain of custody, and/or scientific analysis of the exhibit will be

contested at trial together with a statement delineating why the authenticity, chain of custody, and/or scientific analysis of the exhibit is being challenged and a certification that the challenge is being made in good faith (except that the authenticity, chain of custody, or scientific analysis of any exhibit marked and disclosed by the Government later than 90 days before trial may be challenged by the defendant at any time).

IT IS FURTHER ORDERED that the United States will provide the defendants with a final list of trial witnesses 30 days before the trial date in this matter, which list may be revised or supplemented in good faith at any time thereafter without leave of the Court, but subject to timely objection, as trial preparations continue;

IT IS FURTHER ORDERED that the defendants will provide a list of trial witnesses one week before the trial date in this matter, which list may be revised or supplemented in good faith at any time thereafter without leave of the Court, but subject to timely objection, as trial preparations continue;

IT IS FURTHER ORDERED that the United States will provide the defendants with a final list of trial exhibits and copies of any marked exhibits not previously provided 30 days

before the trial date in this matter, which list and exhibits may be revised or supplemented in good faith at any time thereafter without leave of the Court, but subject to timely objection, as trial preparations continue;

IT IS FURTHER ORDERED that the defendants will provide the United States with a final list of trial exhibits that either defendant intends to use in his case-in-chief at trial and copies of the marked exhibits two weeks before the trial date in this matter, which list and exhibits may be revised or supplemented in good faith at any time thereafter without leave of the Court, but subject to timely objection, as trial preparations continue;

a) The authenticity and chain of custody of the Defendants' final marked exhibits shall be deemed to have been accepted unless an objection is asserted in accordance with paragraph (c), below.

b) If the defendants discloses the scientific analysis of an exhibit that it proposes to introduce at trial and that analysis has been determined by an expert in the field of science involved, the scientific analysis of the exhibit shall be deemed to have been accepted unless an objection is asserted in the form set forth in paragraph 1(c).

c) If the Government wishes to contest the authenticity, chain of custody, or scientific analysis of an exhibit, counsel for the Government shall file, no later than three days before trial, a notice that the authenticity, chain of custody, and/or scientific analysis of the exhibit will be contested at trial together with a statement delineating why the authenticity, chain of custody, and/or scientific analysis of the exhibit is being challenged and a certification that the challenge is being made in good faith (except that the authenticity, chain of custody, or scientific analysis of any exhibit marked and disclosed by a defendant later than two weeks before trial may be challenged by the Government at any time).

IT IS FURTHER ORDERED that the United States will disclose any material required to be disclosed pursuant to 18 U.S.C. § 3500 no later than 75 days before trial, except that if a witness is first identified as a trial witness by the United States after this date, the United States will disclose any such material relating to that witness promptly upon identifying that person as a trial witness;

IT IS FURTHER ORDERED that the Defendant shall produce all "reverse Jencks" that is required to be disclosed under Federal Rule of Criminal Procedure 26.2 two weeks before trial,

except that if a witness is first identified as a trial witness by the defense after this date, the defense will disclose any such material relating to that witness promptly upon identifying that person as a trial witness.


IT IS FURTHER ORDERED that:

1. Defendants shall file pretrial motions on or before November 30, 2018;
2. The parties shall file any *voir dire* requests on or before November 30, 2018, which may be supplemented, the issue of a juror questionnaire will be taken up thereafter;
3. Government shall file proposed jury instructions regarding the substantive tax law that applies in this case on or before December 13, 2018;
4. Government shall provide Defendants with its expert summary notice on or before December 21, 2018;
5. The Defendants shall file its response to the Government's proposed jury instructions regarding the substantive tax law that applies in this case on or before January 11, 2019;
6. Government shall file its response to Defendant's pretrial motions on or before January 16, 2019;
7. The Defendants shall file any replies on or before January 25, 2019;

8. The Defendants shall provide the Government with its expert summary notice on or before March 29, 2019;

9. Oral argument on such motions shall be scheduled at a later date;

10. Trial and Jury Selection shall commence on April 11,
2019 at 10 a.m.


HON. WILLIAM J. MARTINI
UNITED STATES DISTRICT JUDGE